

SELECTIVE SERVICE REGISTRATION VERIFICATION

I. **Purpose:** To establish a system for verifying Selective Service System (SSS) Registration of individuals participating in programs or activities funded under the Workforce Investment Act (WIA) within North Central Counties Consortium (NCCC), who are subject to the Military Selective Service Act (50 U.S.C. App 451 et seq.).

II. **Background:** WIA Section 189(h) requires that all individuals, participating in any programs or activities established under the Act, have not violated Section 3 of the Military Selective Service Act. The State of California, through the Workforce Investment Division (WID) of the Employment Development Department, has issued WIA Information Bulletin WIAB00-31 that outlines the Selective Service requirements set forth in WIA Section 189(h). WIA Information Bulletin WIAB00-31 provides direction to the Local Workforce Investment Area (LWIA) to follow guidance outlined in the Training and Employment Guidance Letter 8-98 from the United States Department of Labor.

III. **References:**

- WIA Section 189(h)
- Title 20 CFR 667.250
- WIAD-18, Subject: Selective Service Registration
- DOL TEGL 8-98, Subject: Selective Service Registration
- Military Selective Service Act, Section 3

IV. **PROCEDURE:**

NCCC's Selective Service Registration Verification Procedure shall ensure that individuals applying for WIA services, who are required to register with the Selective Service System (SSS), have complied and registered prior to enrollment. This procedure also outlines the process to assure the SSS registration of male participants who turn 18 during their participation in WIA programs or activities. Individuals determined to be non-eligible as a result of their non-compliance with Section 189 of the WIA will not be able to participate and/or continue participation in any program or activity funded under the WIA. Program operators must ensure that individuals adhere to the following SSS verification process prior to enrollment or further services in any WIA funded program or activity:

A. **Applicants for Service:** Males born after 12/31/59 and who are or have been required to register with the SSS (see Attachment I), shall have compliance with such system verified through utilizing of one of the following methods prior to enrollment:

- 1) Registration confirmation provided via internet by SSS requires that intake staff access On-Line Verification <http://www.sss.gov/>.

- 2) Registration confirmation verified by phone or via internet by the SSS requires that intake staff call (847) 688-6888 or go on-line to the SSS website at <http://www.sss.gov>.
- 3) SSS registration by a WIA uncompensated registrar. (**Applicant may not be registered on or after his 26th birthday**)
- 4) Provision of a SSS acknowledgment letter by the applicant.

NOTE: Please indicate on the Eligibility Verification Checklist which method was used to verify Selective Service. For item #2 above the individual's SSS registration number must also be recorded on the Eligibility Verification checklist.

B. Applicants Who Failed to Register for SSS: Male applicants born after 12/31/59 who are 26 years of age or older, and who did not register as required prior to their 26th birthday, shall be allowed to participate in the WIA, if otherwise eligible, should either of the following apply:

- 1) An applicant has received an honorable discharge from the U.S. military services - documented by a copy of the individual's military discharge (Form DD-214).
- 2) An applicant did not enter the United States until after he attained age 26 - documented by a copy of the individual's Immigration Naturalization Service (INS) Form I-94 (Arrival-Departure Record) **and** INS Form I-551 (Alien Registration Receipt Card).

NOTE: The SSS Exempt Status Determination Form (Attachment III/EV21) must be completed and maintained in the case file for this category.

C. Applicants Who's Failure to Register for SSS was not Knowingly or Willful:
If neither of the conditions noted in section B. have been met a determination must be made as to whether the individual knowingly and willfully failed to register, please see Attachment II.

NOTE: The SSS Exempt Status Determination Form (Attachment III/EV 21) must be completed and maintained in the case file for this category.

D. Consortium Participants: Individuals who turn 18 during their WIA participation shall also have their compliance with the SSS Registration requirements verified by the Service Provider. NCCC will issue monthly reports to the Service Providers identifying which Consortium participants will be turning 18 during a given month. Individuals are required by the SSS to register within 30 days of turning 18 years old. It is the Service Provider's responsibility to ensure that participants comply with the SSS requirements. Service Providers are to utilize any of the initial four verification

methods mentioned previously as a means of completing this verification. Participants failing to register with the SSS must be “exited” from the program and will not be able to continue participation in any WIA program or activity.

E. Verification Documents:

All SSS verification collected or completed on participants (including those turning 18 after enrollment) shall be filed and maintained in the case file as part of the eligibility documentation. The SSS documentation method shall be noted on the Eligibility Verification Checklist.

Who Must Register

Category	Must Register	Not Required To Register
All male U. S. Citizens born after December 31, 1959, who are 18 but not yet 26 years old, except as noted below	X	
Military-related Members of the Armed Forces on active duty (active duty for training does not constitute "active duty" for registration purposes)		x*
Cadets and Midshipmen at Service Academies or the Coast Guard Academy		x*
Cadets at the Merchant Marine Academy	X	
Students in Officer Procurement Programs**		x*
National Guardsmen and Reservists not on active duty	X	
Delayed Entry Program enlistees	X	
ROTC students	X	
Separatees from Active Military Services, separated for any reason before age 26	x*	
Men rejected for enlistment for any reason before age 26	X	
Civil Air Patrol members	X	
Aliens*** Lawful nonimmigrants on visas (e.g., diplomatic and consular personnel and families, foreign students, tourists with unexpired Forms I-94, I-95A, or Border Crossing Documents I-185, I-186, I-1586, or I-444)		x*
Permanent resident aliens	X	
Special (seasonal) agricultural workers (I-688)	X	
Special agricultural workers (I-688A)		x
Refugee, parolee, and asylee aliens	X	
Undocumented (illegal) aliens	X	
Dual national U.S. citizens	X	
Confined Incarcerated, or hospitalized or institutionalized for medical reasons		x*
Handicapped physically or mentally Able to function in public with or without assistance	X	
Continually confined to a residence, hospital, or institution		x

* Must register within 30 days of release unless already age 26, or already registered when released, or unless exempt during entire period age 18 through 25.

** Students enrolled at: The Citadel, North Georgia College, Norwich University, and Virginia Military Institute.

***Residents of Puerto Rico, Guam, Virgin Islands, and Northern Mariana Islands are U.S. citizens. Citizens of American Samoa are nationals and must register when they are habitual residents in the United States. Habitual residence is presumed whenever a national or a citizen of the Republic of the Marshall Islands or the Federated States of Micronesia resides in the United States for more than one year in any status, except as a student or employee of the government of his homeland.

**Determination of "Knowing and Willful"
Failure to Register with the Selective Service System**

For male applicants born after 12/31/59 who are 26 years of age or older who did not register as required prior to their 26th birthday and do not meet either criteria of Section IV.B of this procedure, there must be a determination rendered by the Selective Service System (SSS) as to their SSS Status. This SSS determination must be made prior to enrollment into the WIA program.

When a SSS determination is necessary, the Service Provider should inform the individual that they are requesting the determination to enable the applicant's enrollment. At the service provider's option applicants may request their own SSS determination.

SSS Determination: If the SSS determines that a male knowingly and willfully failed to comply with the Military Selective Service Act, he is ineligible for WIA services and may not be enrolled as a participant. If the SSS records are silent on this issue, and the applicant is otherwise eligible, then the LWIA must make the determination that there is evidence to show the applicant did not knowingly and willfully fail to register with the SSS per WIA Information Bulletin WIAB00-31. The applicant must provide evidence explaining why he failed to register with the SSS (examples given in TEGL 8-98 4,b).

Requests for SSS determinations must include the applicant's:

1. Name;
2. Current address;
3. Date of birth;
4. Social Security number (optional);
5. Statement that he is requesting an advisory opinion under Section 3 of the Military Selective Service Act; and
6. Reasons for not having registered with Selective Service.

Requests for this determination shall be sent to:

Selective Service System
PO Box 94638
Palatine, IL 60094-4638

The SSS has agreed to respond to each request within 30 days of receipt.

SSS Exempt Status Determination

This status determination document must be used when male applicants born after **12/31/59** did not register with Selective Service prior to their 26th birthday. One of the Exempt categories below must be identified. This form and the back-up documentation must be maintained in the participant's case file.

NOTE: When completing box entitled "*Selective Service Registration*" on the WIA Application Form number 3 Exempt must be circled.

Exempt status determination for _____ has been completed per the method noted below:

- Applicant has received an honorable discharge from the U.S. military, see attached copy of DD-214 Form.
- Applicant did not enter the U.S. until after he attained age 26, see attached copy of the individual's INS Form I-94 (Arrival-Departure Record) **and** INS Form I-551 (Alien Registration Receipt Card). These documents will show their age, date of entry into the United States and alien status.
- Applicant entered the U.S. illegally and was subsequently granted legal status by the INS (IRCA-legalized aliens), see attached copy of "status information" letter from the SSS that states the individual did not knowingly and willfully fail to register or is silent on this issue **and** evidence or letter to staff that they did not knowingly and willfully fail to register.
- Applicant has obtained a letter from SSS which states that he was not required to register or was required to register and so complied, or their records are silent on this issue **and** has provided evidence or letter that they did not knowingly or willfully fail to register, see attached copy of evidence and /or letters of determination.

Service Provider: _____

Staff Name: _____

Date: _____